UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

PAUL L. GERMAIN, Plaintiff,

v.

CIVIL ACTION NO.04-12470-DPW

JOHN DINUCCIO AND RONALD A. HEMEON, Defendant.

SETTLEMENT ORDER OF DISMISSAL

WOODLOCK, District Judge

The Court having been advised that the above-entitled action has been settled with respect to all parties;

IT IS ORDERED that the above captioned matter be, and it hereby is, DISMISSED without costs and without prejudice to the right of any party upon good cause shown within 30 days, to reopen the action if settlement is not consummated, otherwise the parties shall file a Stipulation of Dismissal or an Agreement for Judgment with the Court no later than JANUARY 30, 2006.

BY THE COURT,

/S/ Michelle Rynne

DATED: December 30, 2005 Deputy Clerk